IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 4816 of 1994

For Approval and Signature:

HON'BLE MR.JUSTICE M.R.SHAH

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

P C SHAH

Versus

COMMISSIONER OF INDUSTRIES

Appearance:

1. Special Civil Application No. 4816 of 1994

MR ARUN H MEHTA for Petitioner No. 1-2

NOTICE NOT RECD BACK for Respondent No. 1-2

NOTICE SERVED for Respondent No. 3

CORAM : HON'BLE MR.JUSTICE M.R.SHAH

Date of decision: 21/04/2004

ORAL JUDGEMENT

In the present Special Civil Application under Article 226 of the Constitution of India the petitioner has challenged action of the respondents No. 1 and 2 in accepting the offer/tender of respondent No.3 herein for supply of Microfilm Rolls and also for an appropriate writ, order or direction directing the respondent No.2 to

accept the offer of the petitioner for purchase of total quantity of 1500 Microfilm Rolls.

2. The respondents No. 1 and 2 had invited tenders for purchase of Microfilm Rolls of specification "35 mm x 30.5 mtrs., unperforated panchromatic safety film polyester based" on 23.11.1993 for total quantity of 1500 rolls. That the offer of respondent No.3 was accepted by S.P.C. on 31st March 1994 and the respondent was given the work order for supply of 1500 rolls. This petition is of 1994. When this Court admitted the present Special Civil Application on 12th August 1994 interim relief was not granted. Therefore, by now the respndent No.3 must have supplied the quantity of 1500 rolls as per the Work Order and the Tender and the tender period is also now over. In view of the aforesaid facts and circumstances the present Special Civil Application is disposed of as infructuous by afflux of time. Rule is discharged with no order as to costs.

rmr. [M.R. Shah, J.]